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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/779,612	02/09/2001	Hakon Nordquist	P65287US1	5741

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EXAMINER

EVANS, GEOFFREY S

ART UNIT	PAPER NUMBER
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1725

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DATE MAILED: 01/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/779,612

Applicant(s)

NORDQUIST ET AL.

Examiner

Geoffrey S Evans

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) 3-24, 27 and 30-35 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 25, 26, 28 and 29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

1. Applicant's election without traverse of Species 12 as shown in figures 16 and 17 and claims 2,26,28,29 (claims 1 and 25 are generic) in Paper No. 6 is acknowledged.

642 2. Claims 3-²⁴~~28~~,27,30-35 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 6.

3. Claims 1,2,25,26,28 and 29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 1 on line 2 the parenthetic expression "especially an erosion machine" is indefinite as it is unclear whether Applicant is limiting claim 1 to just erosion machines. Claim 2 is solely indefinite because it depends upon claim 1. In claim 25 on lines 1 and 2 the parenthetic expression "in particular an erosion machine" is indefinite as it is unclear whether Applicant is limiting claim 25 to just erosion machines. In claim 26 on line 2 it is unclear from the parenthetic expression "such as in the shape of a ring" whether a ring shape is in fact a claim limitation. In claim 28 it is unclear to use the terminology of "holder" and "workpiece holder" to refer to two different elements because it is then unclear which element is meant by the word "holder".

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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5. Claims 1,25,26 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Wallin in U.S. Patent No. 3,908,318. Wallin discloses a fixed carrier structure (element 32), a holder including attachment elements (element 31), and holding parts (element 35) that includes a vibration damper made of rubber (see column 3, line 33 that recites "rubber pads"). Regarding claims 25,26 and 29, Wallin discloses in figure 1 that each of the rubber pads is in a recessed area in element 35 (in operation, the upper edge portion of element 35 is in direct contact with the workpiece (slab)).

6. Claims 1, 25 and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee, Jr. in U.S. Patent No. 4,530,507. Lee, Jr. discloses a fixed carrier structure (28), a holder (elements 36 and 42) that includes a vibration damper (element 50). As shown in figure 4, bolts 40 are used to bolt the holder to the support structure.

7. Claims 1,2,25, and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by McCalmont in U.S. Patent No. 5,494,269. McCalmont discloses a fixed carrier structure (element 16), holding parts (element 27) for holding the workpiece (12), the holder (elements 27-41) including a vibration damper (element 33 made of elastomeric material (which is a rubber material)).

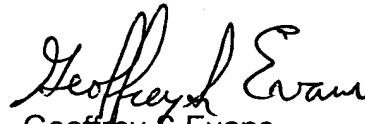
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Armstrong in U.S. Patent No. 6,113,056 has a workpiece vibration damper. Horiuchi et al. in U.S. Patent No. 4,711,135 has a bolt and associated vibration damping structure. Nordquist in U.S. Patent No. 6,103,987 has an erosion machine with a chuck secured to a workpiece. Burt et al. in U.S. Patent No. 5,871,315 has a fixture for supporting workpieces with a damper means.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geoffrey S Evans whose telephone number is (703)-308-1653. The examiner can normally be reached on Mon-Fri 6:30AM to 4:00 PM, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dunn can be reached on (703)-308-3318. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-872-9310 for regular communications and (703)-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-0661.


Geoffrey S Evans
Primary Examiner
Art Unit 1725

GSE
January 10, 2003